

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 23-cr-157 (SRN/TNL)

Plaintiff,

v.

ORDER

John Eric Solomon,

Defendant.

This matter comes before the Court on Defendant John Eric Solomon’s “Motion to File Out of Time His Motion for Additional Time to File Pretrial Motions; and Motion for Additional Time to File Pretrial Motions.” ECF No. 23. Defendant also filed a Statement of Facts pursuant to 18 U.S.C. § 3161(h)(7)(A) (“Statement of Facts”). ECF No. 25.

Defendant’s motions were due on May 30, 2023. *See* ECF No. 19 at 2. On June 5, 2023, Defendant filed the instant motion requesting that the deadline to file motions be extended to June 13, 2023. ECF No. 23. First, Defendant notes that his counsel was unavailable the last week of May and was unable to file motions. *Id.* at 1. Additionally, Defendant contends that a substantial amount of Government disclosures were not produced until May 31, 2023. *Id.* According to Defendant, an extension of the deadline to file motions “advances the interests of justice by providing additional time for a more meaningful analysis of the discovery in advance of motions.” *Id.* at 1-2. The Government has no objection to Defendant’s request. *Id.* at 1. In his Statement of Facts, Defendant

requests that this period of time be excluded from computation under the Speedy Trial Act. ECF No. 25 at 1-2.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial, and such continuance is necessary to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion to File Out of Time His Motion for Additional Time to File Pretrial Motions and Motion for Additional Time to File Pretrial Motions, ECF No. 23, is **GRANTED**.

2. The period of time from **the date of this Order through June 13, 2023**, shall be excluded from Speedy Trial Act computations in this case.

3. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **June 13, 2023**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Tony N. Leung.

4. **Counsel shall electronically file a letter on or before June 13, 2023, if no motions will be filed and there is no need for a hearing.**

5. All responses to motions shall be filed by **June 27, 2023**. D. Minn. LR 12.1(c)(2).

6. Any Notice of Intent to Call Witnesses shall be filed by **June 27, 2023**. D.

Minn. LR 12.1(c)(3)(A).

7. Any Responsive Notice of Intent to Call Witnesses shall be filed by **June 30, 2023**. D. Minn. LR 12.1(c)(3)(B).
8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant pleads particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

9. If required and subject to further order of the Court, the motions hearing shall be heard before Magistrate Judge Tony N. Leung on **July 12, 2023, at 9:00 a.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

10. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT:**
the following trial and trial-related dates are:

All voir dire questions and jury instructions and trial related motions (including motions in limine) must be submitted to District Judge Susan Richard Nelson on or before **August 21, 2023**.

This case must commence trial on **August 28, 2023, at 9:00 a.m.** before District Judge Susan Richard Nelson in Courtroom 7B, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

b. **IF PRETRIAL MOTIONS ARE FILED**, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Nelson to confirm the new trial date.

Dated: June 8, 2023

s/Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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